

AMENDED IN ASSEMBLY AUGUST 30, 2007

AMENDED IN ASSEMBLY JUNE 28, 2007

AMENDED IN SENATE MARCH 28, 2007

**SENATE BILL**

**No. 134**

---

**Introduced by Senator Cedillo**

January 25, 2007

---

An act to ~~amend Section 31663.1 of~~ *add Section 31663.15 to* the Government Code, relating to county employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

SB 134, as amended, Cedillo. County employees' retirement: mandatory retirement.

The County Employees Retirement Law of 1937 provides a comprehensive set of rights and benefits for county and district employees who are members of a retirement system subject to that law. That law permits a county to require sheriffs, undersheriffs, and marshals who are safety members to be retired at 60 years of age or 70 years of age.

This bill would, upon approval of a resolution by the board of supervisors in Los Angeles County, make that requirement inapplicable to specified safety members in that county if a physician employed *or approved* by the county certifies that the safety member is capable of performing his or her assigned duties pursuant to standards set forth either by his or her employer, ~~or, for a safety member who is assigned to active fire suppression, by a physical fitness test prescribed in an implemented departmental wellness/fitness for life program that is completed by the safety member.~~ *The bill would also provide that these provisions apply to a specified safety member who reinstates from*

*retirement.* The bill would provide that the resolution of the board of supervisors may designate a date, which may be prior to the date of the resolution *or the effective date of these provisions*, upon which the resolution and these provisions shall be operative in Los Angeles County.

Vote: majority. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Section 31663.1 of the Government Code is~~  
 2     ~~amended to read:~~  
 3     ~~31663.1.—~~  
 4     *SECTION 1. Section 31663.15 is added to the Government*  
 5     *Code, to read:*  
 6     *31663.15. (a) Sections 31662.4, 31662.6, 31662.8, and 31663*  
 7     *shall not apply to a person who is an active safety member*  
 8     *described in Section 31469.3; or 31470.4 if a physician employed*  
 9     *or approved by the county certifies that the safety member is*  
 10    *capable of performing his or her assigned duties pursuant to*  
 11    *standards set forth either by the member's employer or, for a safety*  
 12    *member described in Section 31470.4, by a physical fitness test*  
 13    *prescribed in an implemented departmental wellness/fitness for*  
 14    *life program that is completed by the safety member. forth by the*  
 15    *member's employer.*  
 16    *(b) This section shall also apply to a member who reinstates*  
 17    *from retirement pursuant to Section 31680.8.*  
 18    ~~(b)~~  
 19    *(c) This section applies only to a county of the first class, as*  
 20    *defined by Section 28020, as amended by Chapter 1204 of the*  
 21    *Statutes of 1971, and Section 28022, as amended by Chapter 43*  
 22    *of the Statutes of 1961.*  
 23    ~~(e)~~  
 24    *(d) This section shall not be operative in any county until the*  
 25    *board of supervisors shall, by resolution adopted by a majority*  
 26    *vote, make this section and Section 31680.8 applicable in the*  
 27    *county. The resolution of the board of supervisors may designate*  
 28    *a date, which may be prior to the date of the resolution or the*

- 1 *effective date of this section*, upon which the resolution and this
- 2 section shall be operative in the county.

O